

**STAFF MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, AUGUST 1, 2002  
8:15 A.M.**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dave Kroeker, Budget & Fiscal Officer  
Dave Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Melissa Koci, County Clerk's Office

The Staff Meeting was called to order at 8:15 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JULY 25, 2002  
(A.M. & P.M. SESSIONS)**

**MOTION:** Hudkins moved and Campbell seconded approval of the Staff Meeting minutes of July 25, 2002, both sessions. Hudkins, Workman, Campbell and Heier voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- a. Region V
- b. Space Meeting on Tuesday, August 6, 2002
- c. Appointment of Marvin Krout as Planning Director
- d. Cancellation of Interlocal on Winning with Wellness

**MOTION:** Heier moved and Hudkins seconded to approve the additions to the agenda. Heier, Campbell, Hudkins, and Workman voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

a. Region V

Heier indicated he spoke with Doris Karloff who requested letters from the providers and it was his understanding that an offer was made by an employee to resign with hopes of receiving 6 to 9 months severance pay. Heier said he spoke with Ron Ross, Director of Health and Human Services, to let him know that if the same Region V leadership continues, Lancaster County may seek their own region.

b. Office Space Needs

Kerry Eagan, Chief Administrative Officer, indicated the County Sheriff, County Court, Clerk of the District Court, District Court Judges and Referees, Juvenile Court, County Attorney, Juvenile Probation, Emergency Communications and 911 are all wanting space and the Board is required to sign off on the needs. He said he needs to give the Building Commission notice about the space needs that were given to the Board by the Directors and has a one-page summary of the projected space increases. Eagan said he needs to know if there is any other information that may need to be looked at.

Eagan noted the biggest requesters are the County Assessor, County Attorney and Public Defender, and Records and Information Management is also concerned about their storage space that is slowly diminishing.

Campbell noted Doug Ahlberg spoke to one of the Fire Stations about utilizing some of their space.

c. Appointment of Mark Krout as Planning Director

Eagan reported the appointment of Mark Krout as Planning Director is going to be on Tuesday's agenda.

Campbell said he was the most qualified and best interviewer of the candidates and after speaking to a few people he worked with, he is well-liked among his peers and co-workers.

d. Cancellation of Interlocal on Winning with Wellness

Eagan reported he will be sending out a cancellation on the Interlocal on Winning with Wellness.

### **3 COMMISSIONER MEETING REPORTS**

a. **LIBA Monthly Meeting - Workman**

Workman reported impact fees were discussed and said the Realtor Association feels that phasing should be part of the program.

**4 BUDGET & SPECIAL SESSION UPDATE** - Dave Kroeker, County Budget Officer; Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, appeared and distributed documentation regarding the Legislative Update (Exhibit A). Kissel said he had a meeting with Senator Jensen who said in January he is going to introduce the idea of consolidation of Regional Centers. Kissel added Governor Johann's budget proposal includes \$60 million in deferred payments to the school districts through the state aid program, \$20 million reduction in the University of Nebraska and \$30 million in reductions to the Medicaid program. Kissel also reported Senator Thompson has introduced LB 23 which would repeal the County Property Tax Relief Program and provide \$5.5 million to counties based on county road miles and other criteria. He said it would be an attempt to divert money from various road funds for other programs.

Hudkins said the Highway Trust Fund needs to be protected and there shouldn't be any money diverted from the fund if it can be helped.

Dave Kroeker, Budget & Fiscal Officer, said he has heard the City is looking at the money that is put into the Road Fund from Lincoln and Lancaster County.

Campbell agreed with Hudkins and said maybe Kroeker needs to provide Kissel with the most advantageous formula.

Kroeker said there is so much money allotted for paved roads, gravel and dirt and it should be decided where the money is needed.

**MOTION:** Campbell moved and Hudkins seconded to request that Dave Kroeker provide to Gordon Kissel the information for a funding formula more favorable to Lancaster County and oppose raiding the Highway Trust Fund. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

Hudkins asked about LB 15, LB 16 and LB 17 and the Cigarette Tax and asked Kissel to look into them because they have an impact on the Lincoln-Lancaster County Health Department.

Kissel said \$.01 will be diverted to the General Fund to help make up for some of the losses.

Campbell asked if there were any loss of funds from Mental Health.

Dean Settle, Community Mental Health Center Director, appeared and indicated Behavioral Health is not on anyone's agenda at this time. He did say, however, that the Medicaid proposed cut is around \$2 million, which includes pharmacy fees.

Campbell suggested Kissel speak with Douglas and Sarpy County regarding General Assistance to see if there is a way to track whether there is a fiscal effect on it and if they have any good ideas on how to handle the cuts.

Kroeker distributed documentation regarding the historical valuations and levies (Exhibit B) and said the County is \$2.3 million away from keeping the tax rate the same as it was a year ago and stated it would go up \$1.76 million if everything was funded in the budget right now. Kroeker said the Grants Fund for next year is \$19,757,366 with the biggest item being Intergovernmental Transfer.

Kroeker also noted he received letters from Dennis Keefe, who is requesting an additional employee and Brian Pillard, who is requesting additional space, and the Board needs to decide how to handle the requests.

Campbell suggested waiting until the end of the day as the Board gets through the discussions. She said then maybe send an email to all Departments including pages 1, 2 and 3 of Kroeker's handout telling them where the Board is at right now and allow each department some time to come before the Board if they don't agree with their budget.

Kroeker distributed a copy of the email responses he received from each department regarding the decrease of Expenditures the Board was requesting (Exhibit C & D). He said if a department did not lower their budget by the requested amount, he decreased it to a 4-year average. From the emails he has received back, there has been a reduction of \$63,138 in the travel, memberships, books & tuition area.

Terry Wagner, County Sheriff, appeared and distributed documentation regarding upcoming outside training and associated costs and said he would like those to be approved by the Board (Exhibit E).

**MOTION:** Hudkins moved and seconded approval of the County Sheriff's list of upcoming outside training and associated costs and pay for the accident reconstruction training for FY02-03. Campbell, Heier, Workman and Hudkins voted aye. Motion carried.

Kroeker roughly went over the reductions that were made by each department.

Hudkins asked if the Nebraska Bar Association dues are required by every Attorney practicing in Nebraska and wondered why the County is paying the Nebraska dues, which amounts to \$8,410.

Dennis Keefe, Public Defender, appeared and indicated the County has paid the Nebraska Bar Association dues for as long as he has been working for the County, which has been at least 24 years. He said the dues are based on the number of years of experience, with under 5 years being a lesser amount than over 5 years experience.

Keefe also noted his office will have over 450 more felony cases compared to 2 years ago and his office cannot accomplish that work in a confident way without an additional Attorney. He said he has no control over the number of cases that are filed and will have to take some action if the position is not approved. Keefe indicated the options for the County are more expensive than adding the Attorney position.

Hudkins suggested some of the Nebraska Bar dues, Lincoln Bar dues or National District Association dues not be paid by the County and allow the Public Defender to put that money into an additional contract. He said the Attorney's in professional practice pay their own dues instead of having their employer pay them and the Board this year is forced to look at those kinds of alternatives.

Campbell noted there are several departments that have their licenses paid for by Lancaster County, so they would have to look at all departments and not just the Public Defender.

Campbell also asked Kroeker about each office paying a membership fee to LIBA and wondered why the County doesn't pay one fee. She also said if outside training or a conference is needed for a job requirement, the Board understands that it is a legitimate expense and should be done. Campbell said each department should forget about going to any conferences this year unless it is required for the job.

The Board said they are willing to take out the National Association of County Officials dues for one year, which amounts to \$4,089.

**MOTION:** Hudkins moved and Campbell seconded to suspend the Lancaster County's dues to the National NACO Association for the upcoming budget year. Heier, Campbell, Workman and Hudkins voted aye. Motion carried.

The Board agreed to accept the \$63,138 decrease in Expenditures so far and look at them again because they had estimated a \$100,000 decrease.

## **5 INSURANCE RENEWALS - Sue Eckley, Worker's Compensation & Risk Manager**

Sue Eckley, Worker's Compensation & Risk Manager, appeared, distributed documentation regarding the Insurance Policy Register and Risk Management Program (Exhibits F & G) and indicated renewal rates are going to be increasing this year. She said the Community Mental Health Center and the Public Building Commission umbrella insurers are not renewing, which means they will have to look at new companies to get the additional umbrella liability coverage. She suggested developing a Risk Management Policy for Lancaster County.

Kent Sprague, UNICO Insurance, appeared and indicated that with the increase in renewal rates this year and having to look at new companies to get additional liability coverage he suggested the County come up with a Risk Management Policy plan. He said the insurance would include, but not be limited to:

- \* Special Form Insurance on real and personal property
- \* General Liability and Professional Liability
- \* Automobile Liability Insurance
- \* Employee Blanket Bonds
- \* Workers' Compensation Insurance
- \* Boiler & Machinery

Sprague noted the insurance would not be purchased to cover loss exposures below a certain amount set by the County Board and there will be a reserve established for the uninsured losses. The County would have to decide on the least amount to insure and should probably discuss the guidelines as set forth in the Risk Management Policy proposal to see what they like or don't like about it.

Eckley said she would like to put together all of the past losses, sit down with Kroeker to discuss them and come back to the Board with some actual figures. She asked the Board if they thought the Policy was a good idea.

Heier indicated he likes the County being self-insured and is strongly in favor of remaining as much self-insured as the County can.

Campbell said she likes Eckley's idea and suggested she have a committee of people including UNICO, Dave Kroeker, Kerry Eagan and the Department Head from each department that would be greatly impacted. She said once the recommendations are put in place, it can be taken to the Management Team for their opinions.

Workman asked Eckley if the \$449,751 is in the FY02-03 budget.

Eckley said it is.

Workman said he likes the idea of the high deductible as a way of self-insurance.

**6 LABOR NEGOTIATIONS & PENDING LITIGATION** - Georgia Glass, Personnel Director; Dave Johnson, Deputy County Attorney

**MOTION:** Campbell moved and Heier seconded to enter into Executive Session for the purpose of discussing labor negotiations and pending litigation at 10:14 a.m. Heier, Hudkins, Campbell and Workman voted aye. Motion carried.

**MOTION:** Heier moved and Hudkins seconded to exit Executive Session at 11:08 a.m. Heier, Hudkins, Campbell and Workman voted aye. Motion carried.

**7 CONTRACTS W/STATE DEPARTMENT OF HEALTH & HUMAN SERVICES TO PROVIDE WRAPAROUND SERVICES TO STATE WARDS & EVALUATIONS FOR OFFICE OF JUVENILE SERVICES; JUVENILE MENTAL HEALTH DIRECTOR JOB DESCRIPTION** - Sheryl Schrepf, Juvenile Mental Health Director

Sheryl Schrepf, Juvenile Mental Health Director, appeared and distributed documentation regarding the job description for the Juvenile Mental Health Administrator, both current and proposed (Exhibit H). She said the proposed job description is based on the Mental Health Administrator's position for the County, which is Dean Settle's position. Schrepf said the job description reflects managing the grant which includes handling the OJS evaluations, working with the State Wards under the State contract, finishing up the grant and developing assessment services in the community, all of which are funded through contracts.

Hudkins said the job may be funded through contracts, but the contracts are not being paid to the County. He said the County is in essence the bank roll for F<sup>3</sup>, which is right now using \$300,000 of County money.

Schrepf said she talked with Dave Kroeker about the larger advance and she believes there has just been a general delay of the payments. Schrepf said the billing will always be 45 to 60 days behind, and indicated she will be talking to her staff to make sure the bills are paid in a timely manner.

Kroeker reported he spoke to Willard Bouwens, Finance Director for Health and Human Services, who indicated Kroeker needed to talk to Tim Cain, Southeast Regional Director for HHS, to see if Tim can get the money due to the County resolved. Kroeker noted there was a letter sent to the State by Commissioner Workman on March 4, 2002 asking for \$300,000 and he has since talked to several people several times and they've all said the County can have the money, but the County has not seen any money yet. He said the bills for the month of May and June have not yet been paid.

**MOTION:** Heier moved and Campbell seconded to send a letter to back up the phone conversations to Tim Cain that Dave and Sheryl have had about raising the advance from \$75,000 to \$350,000 and ask them for prompt payment. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

There was a brief discussion between Sheryl Schrepf, Dave Johnson and the County Board regarding the contract with the Office of Juvenile Services and the Integrated Care Coordination Unit that was to be adopted July 1, 2002.

## **8 EXCHANGE OF COUNTY PROPERTY AS PARTIAL PAYMENT FOR BLOCK 101 PARKING PROJECT - Don Killeen, County Property Manager**

Don Killeen, County Property Manager, appeared and distributed documentation regarding the proposed exchange of County property (Exhibit I) and indicated the County would be buying 2 properties from B & J Properties, 902 K Street and 400 So 9<sup>th</sup> Street, and would be trading 2 County owned lots and 1 City LES owned lot.

Killeen said the property at 1309 M Street has an appraisal value of \$130,000 and is owned by the County, however, there is a lease on the property that runs through 2025. Killeen said the County is losing money on the lot receiving only \$4,000 from the lease and having to pay \$7,000 worth of property taxes.

Kroeker said the property was only appraised at \$130,000 because of the terms of the lease.

**MOTION:** Hudkins moved and Heier seconded to accept the Property Manager's recommendations and have Don Killeen prepare final documents for the County Attorney so a resolution can be drawn up. Hudkins, Campbell, Heier and Workman voted aye. Motion carried.

## 9 ACTION ITEMS

- a. Microcomputer Request C#2002-253 for \$54,893.07 from the F<sup>3</sup> Budget for 25 Pentium IV's, 25 17" Monitors, 25 License Upgrades, etc.
- b. Microcomputer Request C#2002-249 for \$10,454.56 from the F<sup>3</sup> Budget for 5 Pentium IV's, 5 17" Monitors, 25 License Upgrades, etc.

These items were placed on hold until the contract is approved.

## 10 CONSENT ITEMS

- a. Request from Dean Settle to Conduct Accreditation Survey (September 11-13, 2002)

The Board agreed to allow Dean Settle to conduct the accreditation survey in Jacksonville, Florida and keep the \$50 per day fee he is reimbursed.

Settle appeared and indicated there was a recent resignation of an employee who was a Mental Health Clinician I and he does not have anyone from his staff who can cover the position. He said one alternative would be to have the Board allow him to run some ads and try to replace the person. Settle said the other alternative is with the new Region V contract, Mental Health is now required to have a certified Alcohol & Drug Counselor somewhere on staff and he is proposing to run an ad and put in the Supplemental Questionnaires for a Mental Health professional and a Credentialed Substance Abuse Counselor, which would be one position to cover both jobs.

**MOTION:** Hudkins moved and Heier seconded to authorize the Mental Health Director to fill the position. Heier, Campbell, Workman and Hudkins voted aye. Motion carried.

The Board agreed they would not approve the maintenance agreement for the washing machine.

## 11 ADMINISTRATIVE OFFICER REPORT

- a. Budget Freeze Update

Eagan said there is a request from Mike Thurber for approval of \$60 for a one day seminar on Wound Care for patients. He also indicated F<sup>3</sup> needs an upgrade to the WordPerfect server which amounts to \$327 (Exhibit J). Eagan said the part-time employee that was working with the Public Policy Center Indigent Screener contract is leaving for law school and the Board needs to decide whether to replace that person, which has already been funded.

**MOTION:** Campbell moved and Hudkins seconded to authorize the Wound Care training, Indigent Screener part-time position and F<sup>3</sup> WordPerfect upgrade. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

- b. Letter from Ed Birkel State Probation Administrator Re: Juvenile Electronic Monitoring

Eagan said he received a letter from the State Probation Administrator who indicated Lancaster County overpaid them \$4,859.32 on the Juvenile Electronic Monitoring.

Campbell asked why the County didn't know they overpaid the State.

Dave Johnson said State Probation sends over an itemized list to Juvenile State Probation, Lori Griggs, who in return indicates that a particular service was done for that month by line item and then Cathy Marsh, Human Services, pays it out. Johnson said Griggs indicated she can start sending over the itemized list, but State Probation is asking for the money in advance.

Campbell suggested asking State Probation to adjust the actuals either quarterly or twice a year.

**MOTION:** Campbell moved and Heier seconded to request in the next agreement that State Probation adjust to actuals twice a year and ask them to reimburse the County the \$4,859.32. Hudkins, Campbell, Heier and Workman voted aye. Motion carried.

c. Work Well Nebraska Fitness Challenge

**MOTION:** Heier moved and Hudkins seconded to approve the Work Well Nebraska Fitness Challenge. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

d. Letter to Mayor Wesely Re: Jail Interlocal (Exhibit K)

**MOTION:** Heier moved and Campbell seconded approval of sending the letter to Mayor Wesely regarding the Jail Interlocal Agreement. Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

e. County Board Representative on Board of Health

**MOTION:** Campbell moved and Heier seconded to put on Tuesday's agenda the appointment of Larry Hudkins to the Board of Health. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

f. Coordinator for Adult Offender Services

Heier said 3 candidates were interviewed for the Coordinator position for Adult Offender Services and there was a unanimous decision to recommend the Board hire Warren F. Cook, who is from Oregon.

Kit Boesch spoke very highly of Warren Cook and said he will be well suited for the consultant position. Boesch suggested he report to her instead of the County Board and wondered if he should have an office to go to when he comes to Lincoln. If so, he should have a phone in his office.

**MOTION:** Hudkins moved and Campbell seconded to accept the recommendation and hire Warren F Cook, prepare a contract for a Tuesday Board meeting, make Kit Boesch the contact person for the new Consultant and offer an office and telephone for Mr. Cook. On call Campbell, Hudkins, Workman and Heier voted aye. Motion carried.

**MOTION:** Heier moved and Campbell seconded to approve the laser printer request from Kit Boesch in the amount of \$1,094.20 and to take it out of the Human Services budget (Exhibit L). Hudkins, Workman, Campbell and Heier voted aye. Motion carried.

g. Jake Brake Signs

Heier indicated he has received a few complaints about the intersection of 148<sup>th</sup> & HWY 2 regarding rock trucks and semi's using their "jake" brakes. He said he has asked the County Attorney to review the law regarding brakes, where signs can be placed, and how many are required to be placed.

Dave Johnson reported a legal opinion is about to be issued on the Engine Braking and asked if the signs are going to be wanted in a particular area or throughout the County. He said if the Board wants to eliminate engine braking everywhere, signs would be installed at various locations as the problems arise.

Johnson said he still needs to contact the County Engineer to find out placement of the signs and will know more information next week.

h. Use of Letterhead and Position

This item was held for one week.

i. Meeting with Rick Wallace Re: SELF Program

Eagan said the Board is looking at a replacement for REAP and he spoke to Rick Wallace regarding the SELF Program.

The Board agreed to have Rick Wallace give the County Board a presentation at a Thursday staff meeting.

j. Omaha World Herald Subscription

The Board agreed not to renew their subscription to the Omaha World Herald.

k. Schedule for Budget Hearings & Adoption

The Board agreed to hold a public hearing on the budget on August 27, 2002 at 7:00 p.m. with adoption of the budget at the regular Board meeting on September 3, 2002. The Board also agreed to spend 1½ hours during the Thursday, August 8, 2002 staff meeting to discuss with Georgia Glass, Personnel Director, what the Unions have proposed for the FY02-03 budget.

I. Job Duties for County Board Staff

Eagan said there is not a shortage of duties with the County Board Staff position and the Board will need to prioritize those duties.

This item was placed on hold.

m. August Management Team Meeting

The Board agreed to cancel the August Management Team meeting.

**ADJOURNMENT:**

Heier moved and Hudkins seconded to adjourn the staff meeting at 12:43 p.m. Heier, Hudkins, Campbell and Workman voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk